



DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled ENHANCED SELECTIVITY FOR EPITAXIAL DEPOSITION; the specification of which was filed on **January 23, 2004** as Application Serial No. **10/763,948**;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/442,694

Filing Date: January 24, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Chantal J. Arena**

Inventor's signature _____

Date _____

Residence: **3847 E. Ivyglen Circle, Mesa Arizona 85205**

Citizenship: **French**

Post Office Address: **Same**

Full name of second inventor: **Joe P. Italiano**

Inventor's signature

Joe P. Italiano

Date

4/15/04

Residence: **15833 S. 38th Street, Phoenix, Arizona 85048**

Citizenship: **United States**

Post Office Address: **Same**

Full name of third inventor: **Paul D. Brabant**

Inventor's signature

Paul D. Brabant

Date

4/20/04

Residence: **4347 E. Kachina Trail, Phoenix Arizona 85044**

Citizenship: **Unites States**

Post Office Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ASMEX.425A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------|---|--|---|
| Applicant | : | Arena, et al. |) |
| | | |) |
| App. No. | : | 10/763,948 |) |
| | | |) |
| Filed | : | January 23, 2004 |) |
| | | |) |
| For | : | ENHANCED SELECTIVITY FOR EPITAXIAL DEPOSITION |) |
| | | |) |
| Examiner | : | Unknown |) |
| | | |) |

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this

App. No. : 10/763,948
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application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

ASM AMERICA, INC.

Dated: April 22, 2003

By: 

Todd Westersund

Title: Intellectual Property Officer

Address: 3440 East University Drive
Phoenix, Arizona 85034

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COPY

PATENT

Application 10/763,948
Filed 23 January 2004

Attorney Docket ASMEX.425A
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ASSIGNMENT

WHEREAS, we,

- Chantal J. Arena, a French citizen, residing at 3847 East Ivyglen Circle, Mesa, Arizona 85205;
- Joe P. Italiano, a United States citizen, residing at 15833 South 38th Street, Phoenix, Arizona 85048; and
- Paul D. Brabant, a United States citizen, residing at 4347 East Kachina Trail, Phoenix, Arizona 85044;

have invented certain new and useful improvements in **Enhanced Selectivity for Epitaxial Deposition**, for which we have filed an application for Letters Patent in the United States (Application Serial Number 10/763,948, filed 23 January 2004);


AND WHEREAS, ASM AMERICA, INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 3440 East University Drive, Phoenix, Arizona 85034, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

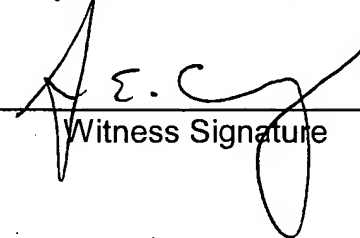
NOW, THEREFORE, in return for good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, successors, legal


representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16 day of April, 2004.


Chantal J. Arena



Witness Signature

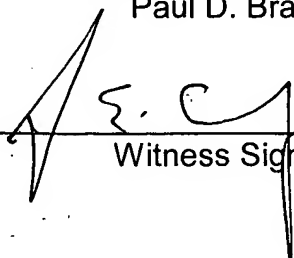
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15th day of April, 2004.


Joe P. Italiano


Witness Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20th day of April, 2004.


Paul D. Brabant


Witness Signature

COPY